

**City of Eau Claire  
Plan Commission Minutes  
Meeting of September 18, 2017**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Granlund, Klinkhammer, Larsen, Pederson, Seymour, Radabaugh;  
Ms. Ebert and Ms. Mitchell

Staff Present: Messrs. Tufte, Ivory, Petrie, Genskow, Basom, Hoffer

The meeting was chaired by Ms. Ebert.

1. **SIGN CODE ORDINANCE AMENDMENT**

Mr. Ivory presented an update to the sign code to address the U.S. Supreme Court ruling about the display of temporary signs. The main issue to come from the ruling was that signs cannot be regulated based on their message or what they say; content neutral is the legal term. This means that signs such as awning, projecting, fuel canopy, real estate, thrift sales, etc. which traditionally have been regulated based on the message of the sign are an issue within the code. This amendment addresses content neutral language.

No one spoke to this agenda item.

Mr. Klinkhammer moved to recommend approval of the sign amendment, Mr. Larsen seconded and the motion carried.

2. **REZONING (Z-1609-17) – RM to R-2P, South side of Hudson Street**  
**CONDITIONAL USE PERMIT (CZ-1714)**

Mr. Tufte presented a request to rezone the south side of Hudson Street, west of 7<sup>th</sup> Avenue from RM to R-2P. The seven dwellings existing on these properties include five duplexes and two single-family homes. The duplexes are on lots which are 8,316 square feet in size. The zoning code allows the Commission to grant conditional use permits for lots between 8,000 to 10,000 square feet. To avoid non-conforming structures, staff recommends a 20-foot front yard setback.

Chris Harder, 13296 134<sup>th</sup> Avenue, Chippewa Falls, owner of 725 Hudson Street, noted that all the current owners, except one that they could not get in contact, are opposing the rezoning and won't be able to rebuild the existing structures as is. He did have a signed document opposing the rezoning of the properties.

Mr. Seymour moved to recommend approval of the rezoning and conditional use permits for the existing duplexes. Ms. Mitchell seconded and the motion carried 5-3 (Mr. Radabaugh, Ms. Ebert, Mr. Pederson voted nay).

3. **REZONING (Z-1611-17) – R-1 to R-3P, 3807 E. Hamilton Avenue**  
**SITE PLAN (SP-1722) – 8-unit Apartment**

Mr. Tufte presented a request to rezone property from R-1 to R-3P and to approve a site plan for an 8-unit apartment building located at 3807 E. Hamilton Avenue. The project is an 8-unit apartment building with 2-bedroom units with an 11-car garage and 5 surface parking stalls. The garages are at a 20-foot setback from the state right-of-way. A 50-foot setback is normally required from a state right-of-way. For this property, the right-of-way is a hillside and the roadway is at a grade above this lot. The comprehensive plan designates the property as being appropriate for commercial development. The Commission will need to judge if an apartment building is consistent with the standards noted in the comprehensive plan.

Scott Ihrke, property manager for Benrud Properties spoke in support of the project.

Mr. Klinkhammer moved to recommend approval of the rezoning and site plan with the conditions noted in the report. Mr. Pederson seconded and the motion carried.

4. **CERTIFIED SURVEY MAP (CSM-10-17) – 4724 S. Oakwood Hills Parkway**

Mr. Tufte presented a request to approve a Certified Survey Map (CSM) that modifies a 20 percent slope no-build area for property at 4724 S. Oakwood Hills Parkway. Lot 1 is the existing home and Lot 2 has been graded for a new home. The Commission needs to initiate an amendment process to the 20 percent slope standard of the sewer service plan.

Applicant, Eric Knauf with American Land Surveying noted the site has been graded already.

Ms. Mitchell moved to approve the CSM. Mr. Larsen seconded and the motion carried 7-1 (Mr. Pederson noted nay).

5. **CERTIFIED SURVEY MAP (CSM-11-17) – 4515 Brooks Drive**

Mr. Tufte presented a request to approve a Certified Survey Map (CSM) to create three lots located at 4515 Brooks Drive in the Town of Seymour. The property is 1.87 acres in size, as proposed with 0.623 acre lots. The property is within the sewer service area for the City of Eau Claire, which requires 10-acre lots. The Commission must grant an exception to the 10-acre lot requirements.

Applicant, Pamela Lovelien, noted the zoning is R-1L which requires a 20,000 square foot lot.

Mr. Pederson moved to approve the CSM. Mr. Klinkhammer seconded and the motion carried.

6. **EASEMENT**

Ms. Basom presented a request to recommend approval of an easement for utilities located at 4937 and 4939 Coventry Court. The easements would be located along the south and west edge of the properties. The permanent easement is needed to extend water and sewer under Interstate 94 for a future development.

No one spoke during the public hearing.

Mr. Klinkhammer moved to recommend approval of an easement. Ms. Mitchell seconded and the motion carried.

7. **EASEMENT**

Ms. Basom presented a request to recommend approval of an easement for a city light pole. The city is requesting an easement from Lazy Monk for access to maintain its fixture. Lazy Monk has requested an easement for their storm sewer.

No one spoke during the public hearing.

Mr. Larsen moved to recommend approval of the easements. Mr. Granlund seconded and the motion carried.

8. **EASEMENT**

Ms. Basom presented a request for an easement on Hewitt. The city has approached Northern States Power Company regarding the purchase of 6,870 square feet for the purpose of building a lift station and an easement for an additional 3,820 square feet for a temporary easement for storage.

No one spoke to this agenda item.

Mr. Pederson moved to recommend approval of an easement and land purchase. Seconded by Mr. Larsen and the motion carried.

9. **SITE PLAN (SP-1030 Amd) – Cedar Creek Church Addition, 3520 Eastwind Drive**

Mr. Tuft presented a request for a site plan amendment for a church addition located at 3520 Eastwind Drive. The site plan notes a 3,780 square foot building addition with a corridor connecting to the existing church. The building addition adds a canopy for drop-off and pickup. The church currently has 130 parking stalls and the addition results in a loss of two stalls for the canopy.

Don Bredle, 427 Jefferson Street, chairman of the expansion of the building noted support of the project.

Mr. Klinkhammer moved to approve the site plan with staff conditions. Seconded by Mr. Radabaugh and the motion carried.

10. **SITE PLAN (SP-1724) – Peoples Bank Midwest, 4251 Southtowne Drive**

Mr. Tuft presented a request to approve a site plan for a 5,321 square foot building with a drive up facility located at 4251 Southtowne Drive. Staff would recommend a curb to separate the drive-thru lane with the drive for the parking lot. Required parking is 22 stalls, there are 28 stalls shown on the site plan. The site plan shows a mixture of street trees and foundation plantings. The proposed signs shall meet C-3 zoning district standards and are reviewed with a sign permit.

Applicant, Michael O'Meara, 5115 Mischler Drive, noted he would be willing to work with staff on how to separate the drive-thru lane with the drive for the parking lot.

Mr. Klinkhammer moved to approve the site plan subject to conditions of the staff report. Seconded by Mr. Granlund and the motion carried.

11. **DISCUSSION/DIRECTION**

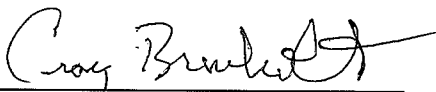
A. Code Compliance Items  
None.

B. Future Agenda Items  
None.

C. Additions or Corrections to Minutes  
None.

12. **MINUTES**

The minutes of the meeting of September 5, 2017 were approved.

  
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Craig Brenholt, Secretary